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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO
10/710,810	08/04/2004	Melanie S. Cambell	27475/07709	4809
24024 75	90 10/19/2005		EXAMINER	
CALFEE HALTER & GRISWOLD, LLP 800 SUPERIOR AVENUE			KILIMAN, LESZEK B	
SUITE 1400	AVENUE		ART UNIT	PAPER NUMBER
CLEVELAND, OH 44114		1773		
			DATE MAILED: 10/19/2005	5

Please find below and/or attached an Office communication concerning this application or proceeding.

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 9 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.  Exercises of time may be orealisable under the processions of 37 CFR 1.136(a), in or event, however, may a reply be timely filed  If the partied for reply specified above is less than timy (30) days, a reply within the statutory minimum of thirty (30) days, as reply within the statutory minimum of thirty (30) days, as reply within the statutory minimum of thirty (30) days, as reply within the statutory minimum of thirty (30) days, as reply within the statutory minimum of thirty (30) days, as reply within the statutory minimum of thirty (30) days, as reply within the statutory minimum of thirty (30) days, as reply within the statutory minimum of the communication.  Fallars to reply within the stat or extended period for reply vall, by intuiting, causes the application to become ABANDONED (35 U.S.C. § 133).  Carried patient term adjustment. See 37 CFR 1.704(a).  Status  1) Responsive to communication(s) filed on		Application No.	Applicant(s)					
Seach billiman   1773   1773   1773   1773   1773   1773   1775		10/710,810	MELANIE S. CAMBELL					
The MALLING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.  Extentions of time may be evaluable under the provisions of 3 CFR 1.1380, in so event, however, may a reply be timely filed after SK (4) MONTHS from the mailing date of this communication.  Extentions of time may be evaluable under the provisions of 3 CFR 1.1380, in so event, however, may a reply be timely filed after SK (4) MONTHS from the mailing date of this communication.  Extentions of time may be seniable under the provisions of 3 CFR 1.1380, in so event, however, may a reply be timely filed after SK (4) MONTHS from the mailing date of this communication.  Fallias to reply within the set or extended period for reply will, by statutory period will apply and will apply (6) MONTHS from the mailing date of this communication.  Fallias to reply within the set or extended period for reply will, by statutory period will apply and will apply (6) MONTHS from the mailing date of this communication.  Fallias to reply within the set or extended period for reply will, by statutory period will apply and will apply the will be communication.  Fallias to reply within the set or extended period for reply will, by statutory period will apply and will apply and will apply the summary apply and will be communication.  Fallias to reply within the set or extended period for reply will be statutory and will be communication.  Proving a statutory will be set or extended period for reply will be statutory and will be communication.  Fallias to reply within the set or extended period for any proving and will be communication.  Proving a statutory will be set or extended period for a communication.  Proving a statutory will be set or extended period for a communication.  Fallias to reply within the set or extended period for a communication.  Proving a statutory will be set or extended period for a comm	Office Action Summary	Examiner	Art Unit					
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THE MAILING DATE OF THIS COMMUNICATION.  Estension of time may be variable under the provisions of 3 CPR 1.73(a). In or event, however, may a reply be linely filed after SIX (5) MONTHS from the mailing date of this communication of the provision of time may be seen the subject of the communication of the provision of the provis	The MAILING DATE of this communication ap Period for Reply	pears on the cover sheet with the	correspondence address					
1) Responsive to communication(s) filed on	<ul> <li>THE MAILING DATE OF THIS COMMUNICATION.</li> <li>Extensions of time may be available under the provisions of 37 CFR 1. after SIX (6) MONTHS from the mailing date of this communication.</li> <li>If the period for reply specified above is less than thirty (30) days, a repet of NO period for reply is specified above, the maximum statutory period.</li> <li>Failure to reply within the set or extended period for reply will, by statute Any reply received by the Office later than three months after the mailing.</li> </ul>	136(a). In no event, however, may a reply be tirely within the statutory minimum of thirty (30) day will apply and will expire SIX (6) MONTHS from e, cause the application to become ABANDONE	mely filed  ys will be considered timely.  the mailing date of this communication.  ED (35 U.S.C. § 133).					
2a) ☐ This action is FINAL. 2b ☐ This action is non-final.  3 ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4 ☐ Claim(s) 1-29 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5 ☐ Claim(s) is/are allowed. 6 ☐ Claim(s) is/are objected. 7 ☐ Claim(s) is/are objected to. 8 ☐ Claim(s) are subject to restriction and/or election requirement.  Application Papers  9 ☐ The specification is objected to by the Examiner. 10 ☐ The drawing(s) filed on is/are: a)☐ accepted or b)☐ objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11 ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.  Priority under 35 U.S.C. § 119  12 ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a)☐ All b)☐ Some * o)☐ None of: 1.☐ Certified copies of the priority documents have been received in Application No 3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  *See the attached detailed Office action for a list of the certified copies not received.  Attachment(e) 1 ☐ Notice of Draftsperson's Patent Drawing Review (PTO-949) 20 ☐ Notice of Draftsperson's Patent Drawing Review (PTO-949) 21 ☐ Information Disclosure Statement(e) (PTO-1449 or PTO/SB08) 22 ☐ Ordinate of Informal Patent Application (PTO-152)	Status							
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12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) All b) Some * c) None of:  1. Certified copies of the priority documents have been received.  2. Certified copies of the priority documents have been received in Application No  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  Attachment(s)  Notice of References Cited (PTO-892)  Notice of Draftsperson's Patent Drawing Review (PTO-948)  Notice of Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  Notice of Information Patent Application (PTO-152)								
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2. Certified copies of the priority documents have been received in Application No  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  Attachment(s)    Outline								
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## **DETAILED ACTION**

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
- 2. Claims 1-9, 15, 16, 19,28-29 are rejected under 35 U.S.C. 102(b) as being anticipated by Blazey'931.

See column 1, lines 10-20, column 2, lines 36-64, column 3, lines 5-22, lines 30-62, column 4, lines 22-24, column 5, lines 4-33.

## Claim Rejections - 35 USC § 103

- 3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
  - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

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4. Claims 10-14, 17-18, 20-27 rejected under 35 U.S.C. 103(a) as being unpatentable over Blazey'931 in view of Hasenour'535.

The applied Blazey'931 teaches the claimed invention substantially as claimed. See the rejections above. The Blazey'931 does not specifically teach the limitations of claims 10-14,17-18,20-27 that relate to atomizing stream, temperature and pressure control of the stream, particle size, spray gun. However, Hasenour'535 teaches that it is well known in the art to use a spray gun to coat three dimensional wooden objects. See column 6, lines 19-65. It would have been obvious to one having ordinary skill in the art at the time of the invention to use the specific spray gun known in the art in Blazey'931 to coat wooden object as suggested by Hasenour'535, since such would increase efficiency and properties of the coatings. Also, it would have been obvious to control particle sizes, temperature and pressure of the spray gun since it has been held that where the general conditions of a claim are disclosed in the prior art, discovering the optimum or workable ranges involves only routine skill in the art. Furthermore, atomizing stream is intimate part of spraying process using spray gun.

The amendments and remarks filed by applicants in the last response have been fully considered. The applicants have mainly argued that the prior art does not teach application of the coating to three dimensional objects. The arguments have been found not to be persuasive.

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The examiner submits that the he believes that the applied prior art teaches the claimed invention as in the above rejections. These rejections are maintained.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to leszek b kiliman whose telephone number is 571-272-1509. The examiner can normally be reached on M-T, 6.30-5.00.

Jers J

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The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <a href="http://pair-direct.uspto.gov">http://pair-direct.uspto.gov</a>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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